

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. - 11. (canceled).

12. (currently amended): A battery in which at least one cover member and a power generating element comprising a positive electrode, a negative electrode and a separator ~~is~~ are accommodated in a battery case, wherein:

said battery case comprises a sheet comprising a laminate of an aluminum foil and a resin layer ~~is composed of a flexible sheet, and~~

at least part of said cover member is provided between said power generating element is ~~covered with a cover member in and~~ said battery case, and

at least one of said positive electrode and negative electrode ~~comprise~~ comprises a lead terminal and a non-coated portion, and

at least the part ~~covered with said cover member is of~~ said non-coated portion is exposed on a surface of said power generating element, and the exposed part of said non-coated portion is covered with said cover member

said cover member is obtained by superimposing two covers on each other such that the two covers face each other.

13. (currently amended): The battery according to claim 12, wherein:

~~the superimposed portion of said two covers faces said non-coated portion further~~  
comprising another cover member,

wherein said power generating element is covered with said two cover members,  
said two cover members are cup-shaped, and  
open sides of said two cover members face each other.

14. (currently amended): The battery according to claim ~~42 or~~ 13, wherein:

each of said positive electrode and said negative electrode comprises a lead terminal, and  
the said lead terminal is held between said two covers cover members.

15. (currently amended): The battery according to claim ~~42 or~~ 13, wherein:

said power generating element is entirely covered with said two covers cover members in  
said battery case.

16. (currently amended): The battery according to claim 13, wherein:

said two cover members are superimposed such that said two cover members face each  
other,

the superimposed portion of said two covers cover members faces the non-coated portion,  
and faces a superimposed portion of said ~~flexible sheet~~ battery case, on the opposite side to the  
non-coated portion.

17. (currently amended): A battery in which two cover members and a power generating element comprising a positive electrode, a negative electrode and a separator is ~~are~~ accommodated in a battery case, wherein:

said battery case is composed of a flexible sheet, and comprises a sheet comprising a laminate of an aluminum foil and a resin layer,

at least part of each of said two cover members is provided between said power generating element is covered with a cover member in and said battery case, and

each of said positive electrode and said negative electrode ~~emprise-comprises~~ a lead terminal, and

said cover member is composed of two covers, and

said two ~~covers~~ cover members face each other, with holding said lead terminal between them, to cover said power generating element.

18. (currently amended): The battery according to claim 17, wherein:

said two covers members are cup-shaped, and  
open sides of said two cover members face each other.

19. - 21. (canceled).

22. (new): A battery in which at least one cover member and a power generating element comprising a positive electrode, a negative electrode and a separator are accommodated in a battery case, wherein:

said battery case comprises a sheet,  
said cover member is provided between said power generating element and said battery case,  
said battery case and said cover member are discrete parts,  
at least one of said positive electrode and said negative electrode comprises a non-coated portion,  
at least part of said non-coated portion is exposed on a surface of said power generating element, and  
the exposed part of said non-coated portion is covered with said cover member.

23. (new): The battery according to claim 22, further comprising another cover member, wherein said power generating element is covered with said two cover members, said two cover members are cup-shaped, and  
open sides of said two cover members face each other.

24. (new): The battery according to claim 23, wherein:  
each of said positive electrode and said negative electrode comprises a lead terminal, and  
said lead terminal is held between said two cover members.

25. (new): The battery according to claim 23, wherein:  
said power generating element is entirely covered with said two cover members in said battery case.

26. (new): The battery according to claim 23, wherein:

said two cover members are superimposed such that said two cover members face each other,

the superimposed portion of said two cover members faces the non-coated portion, and faces a superimposed portion of said battery case, on the opposite side to the non-coated portion.

27. (new): A battery in which two cover members and a power generating element comprising a positive electrode, a negative electrode and a separator are accommodated in a battery case, wherein:

said battery case comprises a sheet,

each of said two cover members is provided between said power generating element and said battery case,

said battery case and said two cover members are discrete parts,

each of said positive electrode and said negative electrode comprises a lead terminal, and

said two cover members face each other, with holding said lead terminal between them, to cover said power generating element.

28. (new): The battery according to claim 27, wherein:

said two cover members are cup-shaped, and

open sides of said two cover members face each other.